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10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,)	Case No. SA CR 11-180-CJC
)	
13 Plaintiff,)	GOVERNMENT'S RESPONSE TO THE
)	PRESENTENCE REPORT FOR
14 v.)	DEFENDANT RICHARD AYVAZIAN
)	
15 RICHARD AYVAZIAN, et al.,)	
)	
16 Defendants.)	SENTENCING DATE: July 16, 2012
)	TIME: 10:00 a.m.
)	
)	

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19 Plaintiff United States of America, by and through its
20 counsel of record, Jennifer L. Waier, having received and
21 reviewed the Presentence Report for defendant Richard Ayvazyan

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1 in the above matter, submits the government's response to the
2 Presentence Report.

3 DATED: June 6, 2012

Respectfully submitted,

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11 Attorneys for Plaintiff
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MEMORANDUM OF POINTS AND AUTHORITIES

Defendant Richard Ayvazyan pleaded guilty to conspiracy to commit bank fraud in violation of 18 U.S.C. § 371.

The Probation Office has determined that defendant's total offense level with acceptance of responsibility is 19 and Criminal History Category is I. Thus, the advisory guideline sentencing range is 30-37 months imprisonment. The government concurs with the calculation of defendant's offense level and criminal history category in the Presentence Report.

Consistent with the Presentence Report, the government requests that defendant receive the following sentence: 30 months imprisonment followed by a three-year term of supervised release under the conditions noted in the Presentence Report. In addition, defendant should be ordered to pay a \$100 special assessment and restitution.

This sentence is consistent with the applicable factors delineated in 18 U.S.C. § 3553(a) and therefore is just punishment as it protects the public in light of defendant's criminal history and instills the seriousness of the committed offense.